IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
TUESDAY, THE TWENTY SECOND DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE G. BIKSHAPATHY
and
THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT APPEAL NO : 803 of 2004

Writ Appeal under Clause 15 of the Letters Patent against the Order dated 29-12-2003 in W.V.M.P.No.2319 of 2003 and W.V.M.P.No.1384 of 2003 on the file of the High Court.)

Between:

K.Eatharamma, W/o P.Babu Rao,
SALC Upper Primary School, Rapur Village and Mandal,
Nellore District.

..... APPELLANT

AND

1 The Government of Andhra Pradesh, rep.by its Secretary, Education Department,
Secretariat, Hyderabad.
2 The Commissioner and Director of School Education, Andhra Pradesh, Hyderabad.
3 The District Educational Officer, Nellore, Nellore District.
4 The Regional Joint Director of School Education, Guntur, Guntur District.
5 The Correspondent, S.A.L.C.Upper Primary School,
Rapur Village, Nellore District.
6 The Chairman -Board of Education, S.A.L.C.Jeevagram, Renigunta, Chittoor District.
7 E.B.Vijaya Kumari, W/o Suresh Babu,
S.G.Teacher, SMG (girls) High School, Gudur, Nellore District.

.....RESPONDENTS

Counsel for the Appellant :MR.A.PURUSHOTHAMA REDDY

For the Respondents :GP FOR SCHOOL EDUCATION

The Court Made the Following :

THE HON'BLE MR. JUSTICE G. BIKSHAPATHY
AND
THE HON'BLE MR. JUSTICE B.SESHASAYANA REDDY

WRIT APPEAL NO. 803 OF 2004

ORAL ORDER : (per G.B., J.,)

This Writ Appeal is filed against the order passed by the learned single Judge in W.V.M.P.No.2319 of 2003 and W.V.M.P.No.1384 of 2003 in W.P.M.P.No.30295 of 2002 in W.P.No.24111 of 2002.

2. The main petition in W.P.No.24111 of 2002 was filed challenging the absorption of the appellant herein, who is the 7th respondent in the Writ Petition. The learned single Judge while admitting the Writ Petition suspended the order of the Government in Memo No.16615/PS-1/2001, dated 3-10-2002. In so far as the absorption of the 7th respondent-appellant herein is concerned, on an application filed to vacate the interim direction, the learned single Judge made directions absolute by an order dated 29-12-2003. The said order is assailed in the Writ Petition.

3. The learned counsel for the appellant submits that the learned single Judge has not properly appreciated the facts in issue and thus erred in making the direction absolute. Hence, he submits that

the order is liable to be interfered with.

4. We have heard the learned counsel for the appellant and also learned Government Pleader for Education.

5. Inasmuch as the order of suspension was passed on 3-12-2002 and the same was made absolute on 29-12-2003, we are not inclined to interfere with the said order. However, we find it desirable that the Writ Petition has to be disposed of early so as to decide the rights of the respective parties.

6. Accordingly, the Writ Appeal is disposed of, directing that the Writ Petition No.24111 of 2002 shall be disposed of within a period of six weeks from the date of receipt of copy of this order. No costs.

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G.BIKSHAPATHY,J
22nd June, 2004.

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B.SESHASAYANA REDDY,J

Kvr

Copy to

1 The Government of Andhra Pradesh, rep.by its Secretary, Education

Department, Secretariat, Hyderabad.

2 The Commissioner and Director of School Education, Andhra Pradesh, Hyderabad.

3 The District Educational Officer, Nellore, Nellore District.

4 The Regional Joint Director of School Education, Guntur, Guntur District.

5 The Correspondent, S.A.L.C.Upper Primary School, Rapur Village, Nellore District.

6 The Chairman -Board of Education, S.A.L.C.Jeevagram, Renigunta, Chittoor District.

7 Two C.Cs to the Government Pleader for Education, AP High Court buildings, High Court of A.P., Hyderabad. (O.U.T.)

8 Two C.D.Copies.